

## Interagency ADR Working Group Civil Enforcement Section

### **Implementation Plan**

This Civil Enforcement Section implementation plan proposes a multi-pronged approach which includes the development of consultation teams, educational presentations, workgroups to create and maintain an information network and the Section's report to the Attorney General, and a steering committee to oversee these activities.

#### **Steering Committee**

CES activities will be coordinated by a Steering Committee. The Steering Committee will oversee the activities of the CES Consultation Teams and will design products which will support and enhance CES activities. The Steering Committee will be comprised of volunteers from the CES membership and EPA ADR staff.

#### **CES Consultation Teams**

To support CES members, teams of individuals from agencies experienced in ADR program implementation will be established. Each Consultation Team is designed to focus on an area of need identified by CES members. Two Consultation Teams are proposed: a dispute systems design and implementation issues team and a training and evaluation issues team. Consultation Teams will serve as consultants to member agencies in their ADR program development and, resources allowing, a Team member will be available to serve as a mentor to an individual agency. Steering Committee members will serve as lead for the Consultation Teams which will include members solicited from the broader CES membership.

#### **Educational Presentations**

The Steering Committee will coordinate a series of presentations designed to provide CES members with information and skills to develop and implement an ADR program. To expeditiously provide Section members with an information base and the skills to design and implement an ADR program, a series of intensive educational presentations and trainings will be held during the months of January, February and March. These sessions will give a broad overview of the information required to design and implement an ADR program. Consultation Teams and CES members will be solicited to take the lead on developing and hosting presentations.

In addition, CES members will be surveyed to determine supplemental training presentations and focused working sessions which would address additional needs of CES members. In September, a CES meeting will be held to review the CES report

which will be newly submitted to the Attorney General and to consider FY 2000 follow-up activities.

The following is a list of educational session topics and trainings identified by CES members and a suggested presentation schedule:

January (1/27, Full day)	ADR Training <ul style="list-style-type: none"><li>• Range of ADR Processes</li><li>• Advantages of using ADR in civil enforcement</li><li>• Examples of successful use of ADR</li><li>• Demonstration of mediation in enforcement actions</li></ul>
February / March (Two full days or four half days)	Designing & Implementing an ADR Program <ul style="list-style-type: none"><li>• Dispute System Design</li><li>• Methodologies for analyzing a dispute resolution system</li><li>• Developing an ADR program implementation plan</li><li>• Obtaining resources for ADR programs</li><li>• Contracting for external ADR services</li><li>• Designing/obtaining &amp; conducting relevant ADR training</li><li>• Evaluation of ADR use</li><li>• Identifying &amp; managing internal &amp; external ADR professionals</li><li>• Marketing an ADR program internally and to the regulated community</li></ul>

In addition to basic training and focused working sessions, periodic meetings may be held to provide information and discussion on advanced practice issues identified as important by CES members. The following is a list of additional advanced practice issues suggested by CES members as topics for discussion and/or further work by the CES:

- Best ADR practices for government agencies
- Ethical & confidentiality issues
- Designing & running an effective pilot program
- Effective consultation of staff & mentoring of junior ADR professionals
- ADR information tracking & analysis systems
- Establishing an arbitration program

Potential legislation & regulation enhancements  
Bench-marking of corporate ADR efforts  
Establishing a supportive connection with the ADR community

Where relevant, advanced practice sessions may be scheduled to coincide with Section CES training and working sessions. As needed, additional working groups may be formed to conduct further work on one or more of these issues.

### **Support Products and Resources**

The following products or resources will be created and maintained by an Information Management Workgroup of CES members. Whenever possible, products and resources will be in a retrievable electronic format through the DOJ website or an alternative location.

Notice of upcoming CES activities  
Minutes of CES meetings  
A listing of CES members and an e-mail group  
A quarterly calendar of upcoming training opportunities  
A bibliography and library of relevant ADR texts and materials

### **Section Report to the Attorney General**

A CES Report Workgroup will be formed among the Section membership to solicit information from CES member agencies and will write a report to the Attorney General by September, 1999, describing CES activities and the progress member agencies have made in establishing their enforcement ADR programs.